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**GOVERNMENT OF SIKKIM
DEPARTMENT OF HEALTH CARE, HUMAN SERVICES & FAMILY WELFARE**

No. 343/HC, HS & FW.

Dated:08/05/2013.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Sikkim is hereby pleased to make the following rules further to amend the Sikkim Services (Medical Facilities) Rules, 1981, namely:-

- Short title extent & Commencement:** 1. (1) These rules may be called the **Sikkim Services (Medical Facilities) Amendment Rules, 2013** -
(2) They shall come into force at once.
2. In the Sikkim Services (Medical Facilities) Rules, 1981 (hereinafter referred to as the said rules), in rule 3, -
(1) in sub-rule (2), -
(a) the words "unmarried sister, minor brothers, widowed sister, unemployed major brothers" shall be omitted;
(b) in the Explanation (1), for the figures ₹ 2500/-, the figure ₹ 40,000/- shall be substituted;
(c) in the Explanation 3, after the words, "The term "children" includes "children" adopted legally", the following shall be inserted, namely:-

"The term children wholly dependent upon the Government Servant means", -

- (i) the son, till he starts earning or attains the age of 25 (twenty five) years, or gets married, whichever is earlier;
- (ii) the daughter till she starts earning or attains the age of 25 (twenty five) years, or gets married, whichever is earlier;
- (iii) the child suffering from permanent disability either physically or mentally, irrespective of age.

Note: Disability means – blindness, hearing impairment, locomotor disability, mental retardation, mental illness and any other illness / disability certified by the competent Authority / Medical Board".

(2) in sub-rule (5), after the words 'Government Hospital' and before the words 'or Amji Clinic', the words or 'empanelled hospital' shall be inserted;

in sub-rule (6) for the existing Note, the following shall be substituted; namely:-

"Note - the treatment shall include provision for spectacles, hearing aids and prosthetics as detailed under:-

- (a) Spectacle should be made under the prescription of an authorized Ophthalmologist. The reimbursement shall be admissible only to the regular Government servants once in a year subject to a maximum amount of ₹ 2500/- (Rupees twenty five hundred).
- (b) The regular Government servants only shall be entitled to reimbursement of hearing aids subject to the maximum amount of ₹ 30,000/- (Rupees thirty thousand).
- (c) Keeping in view of the average life of hearing aid as 5 (five) years, a replacement may be permitted on the basis of a condemnation certificate from a technical expert and on the approval of a ENT Specialist.
- (d) Dental implants and other cosmetic procedures will not be reimbursed.

3. In the said rules, in the rule 5, after the words 'nearest Government Hospital', the following words shall be inserted namely:- "The entitlement shall be subject to justification by the State Medical Board and approval by the State Government. Beneficiaries covered under the Sikkim Services (Medical Facilities) Rules 1981 will not be eligible for reimbursement of expenses incurred on the engagement of special nurse/attendant/ayah at the residence of the patients even though it might have been recommended by a specialist/physician".

4. In the said rules, in rule 7, -

(a) in sub-rule (1), the following shall be added; namely:- "The Chief Medical Officer in the Districts is empowered to scrutinize, concur and recommend for sanction the payment of claims for treatment inside Sikkim upto ₹ 30,000/ (Rupees thirty thousand) only wholly or in part to the Head of Department concerned".

(b) for the existing Note under sub rule (1), the following shall be substituted; namely:- "Note- Reimbursement of the cost of preparations, which are not medicines but are nutritional supplements, vitamins and minerals, tonics, cosmetics, disinfectants, toilet preparations and certain orthopaedic items such as special mattress, wheel-chairs, cushions, crutches, walking sticks, braces, oxygen cylinder and accessories for use at residence and other aids of similar nature are prohibited. Products manufactured/marketed as food supplements, cosmetics and ayurved preparations prescribed by allopathic doctors will be inadmissible. However, vitamins and minerals and certain orthopaedic items, if part of the treatment will be reimbursable".

5. In the said rules, for sub rule (1) of rule 8, the following shall be substituted; namely:- "(1) A Government Servant is entitled to reimbursement of medical expenses incurred by him for his own treatment and for the treatment of the members of his family at a place outside Sikkim provided that the Medical Board certifies that the patient has contracted a disease or has reached a stage of the disease for which no further treatment is possible within and recommends with the concurrence of the Health Department, treatment at a Government Hospital or any other empanelled institution outside the State but within the country. In case of emergency treatment of a Government Servant or his dependent at a place outside Sikkim, if treatment is

obtained at a Government Hospital or empanelled institution, such cases may be considered by the Medical Board / Director Health Services on its own merit ex-post facto.

Treatment taken in non-empanelled Private Hospitals but justified by the State Medical Board / Director Health will be reimbursed at Central Government Health Scheme Rates.

6. In the said rules, in rule 9, the word 'selected' shall be omitted and for the words, Any other Institution; the words "Empanelled Hospital" shall be substituted.
7. In the said rules, for rule 10, the following shall be substituted, namely:- "The Government Servant who has been referred outside Sikkim for treatment shall be entitled to travel by air under sub-rule (1) of rule 24 of Sikkim Traveling Allowances Rules 1980, irrespective of the nature of illness and the dependents will be entitled to traveling allowance by rail under rule 55 of the Sikkim Traveling Allowances Rules 1980. However, escorts will not be entitled to Traveling Allowance."
8. In the said rule, for the existing rule 11 and the entries relating thereto, the following shall be substituted, namely:-

"11- (1).Group 'A' and Group 'B' Government Servant receiving treatment as in-patients in a Government hospital / empanelled hospital outside Sikkim shall be entitled to reimbursement of actual room-rent charges subject to a maximum of ₹ 5000/- (Rupees five thousand) per day.

(2) Group 'C' and Group 'D' Government Servant receiving treatment as in-patients in a Government hospital / empanelled hospital outside Sikkim shall be entitled to reimbursement of actual room-rent charges subject to a maximum of ₹ 3000/- (Rupees three thousand) per day.

(3) Room entitlement for package treatment:-

- (a) Group 'A' and Group 'B' Government Servants - Private Room Package.
 - (b) Group 'C' and Group 'D' Government Servant- General Ward Package.
- (4) Reimbursement for Intensive Care Unit shall not exceed ₹ 5000/- (Rupees five thousand) per day.

Note: (Above rates are applicable only for the serving Government Servant. Dependents of all categories of Government Servant are entitled only to the General / Economy Ward.)

For Sikkim and Siliguri : Group 'A' and Group 'B' Government Servants will be entitled to room rent of Rs 3000/- (Rupees three thousand) per day.

Group 'C' and Group 'D' Government servants will be entitled to room rent of ₹ 1000/- (Rupees one thousand) per day.

The actual room rent paid or the maximum of the above shall be reimbursed

9. In the said rules, in rule 12, -
 - (1), In sub-rule (1),- (i) after the words "as amended from "time to time", the following shall be inserted; namely:- "The maximum amount of medical reimbursement for any one reference shall not exceed ₹ 1,50,000/- (Rupees one lakh fifty thousand). For cases like Bye-pass surgeries, selected neuro-surgical cases, organ transplant the limit shall be a maximum of ₹ 5,00,000/- (Rupees five lakhs). For special cases like bone marrow transplant and curative cancer therapy the limit shall be to a maximum of ₹ 15,00,000/- (Fifteen lakhs) only.

Where the Government with the concurrence of FRED & DPERNECAD is satisfied that it is necessary to relax any of the provisions of the Sikkim Government Service (Medical Facilities)

Rules 1981 in any case, it may, by order in writing, do so to the extent and subject to such conditions as are deemed necessary for dealing with such a case.

Subsequent treatment subject to actual cost may be allowed as per referral from State Medical Board.

For treatment within the State a maximum of ₹ 10,000/- (Rupees ten thousand) per month shall be reimbursed. However, the limit for patients under dialysis will be ₹ 15,000/- (Rupees fifteen thousand) per month.

Reimbursement of fertility treatment may be allowed provided that it is:-

- (a) a primary infertility
 - (b) a secondary infertility with no surviving children
 - However, reimbursement shall be allowed for a maximum amount of ₹ 1,00,000/- (Rupees one lakh) only each and for two such procedures only";
- (ii) The existing provis shall be omitted;
- (2) sub-rule (2) shall be omitted.

10 In the said rules, in rule 13,-

- (1) in clause (a), for the words "private registered Medical Practitioners", the words "Consultants and Specialists of Government or empanelled hospitals / institutions" shall be Substituted;
- (2) for clause (b), the following shall be substituted; namely:-

"Reimbursement of consultation fees upto ₹ 500/- (Rupees five hundred) per consultation or actually paid may be allowed".

11. In the said rules, in rule 14, -

- (1) in sub-rule (1), after the words "State Hospital", the words "and Empanelled Hospitals" shall be inserted;
- (2) insub-rule (3), for the words "private medical practitioner", the words "consultants and specialists of Government and empanelled Hospitals" shall be substituted.
- (3) after sub-rule (4), the following sub-rule shall be inserted; namely:-

"(5) the IRB Personnel shall be entitled to the above facilities in the Central Government Health Services Hospitals and recognized clinics close to their camps. Henceforth, all medical claims upto ₹ 10,000/- wholly or in-part of IRB personnel posted in Delhi will be verified and concurred by the Medical Officer, IRB".

12. In the said rules, rule 16 shall be omitted.

13. In the said rules, for the existing rule 17, the following shall be substituted; namely:- "17 In case where both husband and wife are Sikkim Government Servant, they may claim reimbursement from their respective Departments. A joint declaration of their children's preference of claim should be furnished. The option given in the claim can be changed as and when necessary depending on change of circumstances such as retirement, resignation etc of either the husband or wife. The above declaration should be submitted in duplicate, one

copy of which shall be recorded in the personal file of each of them, the other copy being forwarded to the Chief Pay & Accounts Officer".

14. In the said rules, in rule 20 (3), for the words "However, in exceptional case second advance will be considered only after settlement of first advance", the words and figure "An advance of upto a maximum of ₹ 2, 00,000/- Rupees two lakhs) can be granted subject to production of an estimate certificate from the referred hospital" shall be substituted.
15. In said rules, for the existing rule 21 (1), the following shall be substituted; namely:-" Each and every department shall designate one Controlling Officer who will be authorized to forward the file of referred patients, their admissible family members/dependents and sign on the claim forms. The Controlling Officer shall verify and update the declaration of dependency from the Service Book every year."

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